

1 FOLGER LEVIN & KAHN LLP
 2 Michael A. Kahn (CSB No. 57432, mkahn@flk.com)
 3 Joel D. Smith (CSB No. 244902, jsmith@flk.com)
 4 Embarcadero Center West
 5 275 Battery Street, 23rd Floor
 6 San Francisco, CA 94111
 7 Telephone: (415) 986-2800
 8 Facsimile: (415) 986-2827

9
 10 Attorneys for Plaintiff
 11 Douglas Keane

12 Christopher J. Keane (CSB No. 194848, ckeane@keanelaw.com)
 13 530 Jackson Street, Second Floor
 14 San Francisco, CA 94133
 15 Telephone: (415) 398-2777
 16 Fax: (415) 520-2282

17 Attorneys for Plaintiff
 18 Douglas Keane

19 ROSS B. JONES, SBN 120593
 20 Merrill, Arnone & Jones, LLP
 21 3554 Round Barn Boulevard, Suite 303
 22 Santa Rosa, California 95403
 23 Telephone: (707) 528-2882
 24 Facsimile: (707) 528-6015

25 Attorneys for Defendants/Counterclaimants
 26 HEDMARK VIII, LLC and
 27 WESTLAND FINANCIAL III, LLC

28 UNITED STATES DISTRICT COURT

1 NORTHERN DISTRICT OF CALIFORNIA

2 SAN FRANCISCO DIVISION

3 DOUGLAS KEANE,

4 Case No. C 07-06074 EMC

5 Plaintiff,

6 **JOINT STIPULATION AND [PROPOSED]**
 7 **ORDER OF DISMISSAL OF ALL CLAIMS**
 8 **AND COUNTERCLAIMS WITH PREJUDICE**
 9 **PURSUANT TO F.R.C.P. 41(a).**

10 v.

11 HEDMARK VIII, LLC and WESTLAND
 12 FINANCIAL III, LLC

13 Defendants.

14 Action Filed: October 22, 2007
 15 Action Removed: November 30, 2007
 16 Judge: Hon. Edward M. Chen

1 1. IT IS HEREBY STIPULATED by and between Plaintiff DOUGLAS KEANE and
2 Defendants/ Counter-plaintiffs HEDMARK VIII, LLC and WESTLAND FINANCIAL III, LLC,
3 through their counsel of record, that all claims and counterclaims in the above-captioned action
4 by or against any of the aforementioned parties are dismissed with prejudice pursuant to Federal
5 Rules of Civil Procedure Rule 41(a), each party to bear his or its own attorney's fees and costs.

6 2. The parties further stipulate that all pending dates for this matter, including all
7 matters set forth in the Court's Amended March 19, 2008 Minute Order, are vacated.

8 3. The parties further stipulate that the Court may enter an order based on this
9 stipulation.

10 4. Pursuant to General Order 45(X)(B), the filer attests that concurrence in the filing
11 of the document has been obtained from each of the other signatories.

12 || Dated: May 14, 2008

FOLGER LEVIN & KAHN LLP

/S/

16 || Dated: May 14, 2008

KEANE LAW FIRM

/S/
Christopher Keane
Attorneys for Plaintiff
Douglas Keane

20 || Dated: May 14, 2008

Merrill, Arnone & Jones LLP

/S/
Ross Jones

[PROPOSED ORDER]

Following the stipulation of the parties, and FRCP 41(a), IT IS HEREBY ORDERED that:

1 1. All claims against Defendants HEDMARK VIII, LLC and WESTLAND
2 FINANCIAL III, LLC, and all counterclaims against Plaintiff DOUGLAS KEANE, are hereby
3 DISMISSED WITH PREJUDICE, each party to bear his or its own attorney's fees and costs; and

4 2. All pending dates for this matter, including all matters set forth in the Court's
5 Amended March 19, 2008 Minute Order, are vacated.

6
7 Dated: May 19, 2008

8 52055\9001\600256.1

9 Honorable Edward M. Chen
10 United States District Court
11

